

**WEST VALLEY CITY  
PLANNING COMMISSION  
MINUTES**

**August 27, 2008**

The meeting was called to order at 4:02 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

**WEST VALLEY CITY PLANNING COMMISSION MEMBERS**

Harold Woodruff, Brent Fuller, Terri Mills, Phil Conder, and Mary Jayne Davis

**ABSENT:**

Jack Matheson and Jason Jones

**WEST VALLEY CITY PLANNING DIVISION STAFF**

John Janson, Steve Pastorik, Steve Lehman, Hannah Thiel, and Nichole Camac

**WEST VALLEY ADMINISTRATIVE STAFF:**

Nicole Cottle, Deputy City Attorney  
Joseph Moore, CED Director

**AUDIENCE**

Approximately nine (9) people were in the audience

## **ZONE CHANGE APPLICATIONS:**

### **Z-7-2008**

#### **Zions Securities Corp.**

#### **Southwest corner of Lake Park Blvd. and Corporate Park Dr.**

#### **M to R-1-8**

#### **11.12 acres**

Zions Securities Corp. is requesting a zone change for 11.12 acres on the southwest corner of Lake Park Blvd. and Corporate Park Dr. from M (manufacturing) to R-1-8 (residential, single family, minimum lot size 8,000 square feet). Surrounding zones include M to the north, east and west and R-1-8 to the south. Surrounding land uses include vacant land to the north, west and south and the Lake Park Corporate Center to the east. The subject property is designated as business/research park and mixed use in the West Valley City General Plan. Other important considerations for this application include:

- Zions Securities is working with Granite School District to develop a new elementary school to the west of the property.
- The subject property is separated from the Lake Park Corporate Center by Corporate Park Drive and the new charter school.
- The subject property is separated from the M zoned, vacant property to the north by Lake Park Blvd.

If this application is approved, Zions Securities plans to develop, together with Ivory Homes, the subject property together with another 51.91 acres to the south that is already zoned R-1-8 as Highbury Plat C, a planned unit development (PUD) with three housing types. Included with this report is a letter from David Jensen, the Senior Vice President and COO of Zions Securities Corp., which addresses this application.

### **Development Proposal**

There are several attachments included with this report that help illustrate the proposed Highbury Plat C development. The first is the latest site plan that shows the mix of housing types proposed. The proposal includes 159 townhomes that would be the same as those built east of Kohl's, 73 single family homes (one lot was dropped since the original application submittal) similar to those being built as part of Highbury Place Phases 1 - 4, and 55 Park Side Homes resulting in a total of 287 units. If approved, the Park Side homes would be a unique housing type in the City. Included with this report is information from Ivory Homes on each of these three housing types including floor plans, square footage, and elevations. The overall proposed density of Plat C is 4.6 units/acre.

The next three attachments address the three open space standards from the City that apply to this proposal. The latest site plan differs slightly from these three drawings; however, the open space shown is basically the same. The first open space standard is 50% open space required for a PUD. Open space for this standard includes everything except roads and housing units. The second standard is 15% useable common open space

for the project overall. This would include the waterways, lakes, and actual park areas. The third standard is 15% useable common open space that is specifically for the townhomes. This type of open space is defined as “recreation areas including basketball, tennis or racquetball courts; baseball, softball or soccer fields; trails; picnic areas; plazas; dedicated or private park sites or any other use deemed acceptable by the Planning Commission. Useable open space shall not include parking lots, all buildings except clubhouses, setback areas less than 20’, and narrow landscape strips.” The three open space plans show how the proposed Plat C would meet each of the three standards described above.

### **Development Agreement**

A development agreement is required for this project. Section 7-14-105 (3)(l)(x) of the West Valley City Zoning Ordinance states: “All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(l)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 1,600 square feet.”

The standards referenced above from Section 7-14-105 (3)(l)(iii) are the point system for single family home design features. This point system may be superseded by a development agreement that includes requirements that would yield homes of equal or greater quality as determined by the Planning Commission and the City Council. For this development, Zions Securities and Ivory Homes are proposing to use the home plans they have submitted in lieu of following the point system. This was done for the single family homes in Highbury Place Phases 1 - 4.

Zions Securities and Ivory submitted a draft development agreement, which is attached, as part of this application. Staff recommends the following changes to the agreement:

1. Entire Neighborhood standard 1: Change the total number of units from 287 to 286. Reducing the number of lots will accommodate a larger pocket park that was committed to in the development agreement for Highbury Place Phases 1 – 4.
2. Townhomes standard 4 and Park Side Homes standard 5: The Fire Department may require larger street widths. For this reason, staff recommends that the first sentence of these standards be changed to the following: Private streets shall have an asphalt width that meets Fire Department requirements.
3. While the Park Side Homes will have common area for outdoor recreation, staff believes that each home should have some private outdoor space as well where a resident could have a couple of chairs and possibly a grill. Some of the Park Side Homes have front porches and/or a side yard patio. However, some of the plans have neither a front porch nor a side yard patio. During the study session, Chris Gamvroulas with Ivory Homes mentioned that they could offer a front yard, flagstone patio as an option. Staff recommends adding a standard 14 to the Park

Side Home standards that would state: Every house shall have private outdoor living space of at least 50 square feet in the form of a front porch, side yard patio, or front yard patio.

4. Single Family Homes standard 9: Change the number of lots from 73 to 72 for the reason stated above in item 1.

**Staff Alternatives:**

-Approval, subject to the development agreement proposed by the applicant with the changes recommended by staff.

-Approval, subject to the development agreement proposed by the applicant with changes as determined during the public hearing.

-Continuance, for reasons determined during the public hearing.

**Applicant:**

Don White  
450 S. Triad Center  
Salt Lake City, UT 84101

**Applicant:**

Chris Gamvroulas  
Ivory Homes

**Discussion:** Steve Pastorik presented the application. Steve answered a question asked by Terri Mills in the pre-meeting by stating that the total amount of water will be about the same as what was originally proposed. Phil Conder stated that a large parcel in a cul-de-sac was discussed in the study session last week and questioned what should be done about that. Steve replied that it will be addressed in the subdivision phase and not in the zone change process. Commissioner Mills stated that the staff report indicated a 2 foot setback for the Park Side Homes and questioned how a front patio could be included with so little space. Steve explained that 2 feet is the setback from the common space in between the lots that is also an additional 50-60 feet in width. The larger plans that have the front porches would have a tighter setback but the ones that don't will have more space.

Don White explained that there are a couple things he wants the Planning Commission to understand on the re-zoning issue. He stated that there has been some debate on where the zoning actually is and the decision was made that they should apply for a rezone. He explained that there have been discussions on expanding the Monticello Charter School into a high school. Don explained that all the lakes are part of the City storm drain system and he has been working closely with the engineering department on this. He explained that the Lake Park project has been bisected and negotiations have been made to put the canal into the lake and then to re-route it back out to 5600 West. Mr. White explained that they are trying to achieve a system that will allow canoes or small boats to be able to go to Lake Park from this subdivision and this is made possible by ensuring the height of bridges and areas under highways are suitable to accommodate this idea. He added that all the water systems are linked together and this new design works out better because it is more visible to the public. Don explained that the lakes

north of Lake Park Blvd. are not being designed yet. He indicated on a site plan how the lakes, rivers, and canals all tie together. He also indicated control structure locations and explained that these are used to monitor and measure the flow of water coming in and out of the area.

Chris Gamvroulas expressed his gratitude to staff and the Planning Commission and explained that this project is something that is unique to West Valley City. He commented that the area for the pocket park requested by staff is fine although the water area to the southwest is open space and there will be a trail system to get a canoe down to that area. He explained that the open space was not eliminated, the use was simply changed and overall he accepts Steve's recommendation. Chris stated that he would rather not be tied to the porches/patios being required on the Park Side Homes because he feels it's important to let the market determine whether the option is wanted or not. He explained that it would eliminate a lot of architectural designs because some houses just don't work with a patio or porch. Phil questioned which options wouldn't accommodate a front porch. Chris replied that there are some that do and some that don't and an example of one that doesn't is the European Romantic design. He stated that he understands where staff is going with this but some people just don't want a porch. Commissioner Conder questioned whether the other buyers can remove the porch or patio if they don't want it on designs that already have it included, like the Colonial style homes. Chris replied that there will be no structural changes or elevation changes and Ivory would recommend the buyer to look into a different style of home.

Mary Jayne Davis stated that the Claybourne colonial, and Victorian all look a little plain to her. She explained that if the dormer windows were removed, they would look like homes built near Cyprus High School 65 years ago. Chris replied that he understands but added that these plans have been picked apart by the most difficult architectural designers. They are narrow plans and there is only so much that can be done with them. He explained that these designs were taken out of the avenues and from Sugar House. Commissioner Davis stated that they all have a different charm and she understands that Ivory is trying to achieve a different ambiance. Chris agreed and explained that these units live inside the park and face each other and this is just a different type of lifestyle. Terri Mills stated that the Daybreak development has a vast array of color and questioned the color ideas for this development. Chris replied that Ivory intends to bring some of the palettes from Daybreak but there won't be any purples, reds, or yellows. He stated that the color scheme will likely be lighter stucco with some red brick, stacked rock, and some more hardie plank.

Commissioner Conder stated that Ivory seems to do good projects and if this one is done right it will end up being very nice. He stated that he agrees with the suggestions Chris made, including the patio or porch being listed as an option a buyer can choose. Commissioner Davis suggested changing the language to read some private outdoor space rather than identifying it as a porch or patio. Steve replied that he isn't sure what else could be done with it because the lots are very

tight. Phil Conder explained that he is envisioning the Alden European and including a porch or patio in front would just clutter the area up. Steve clarified that it would just be a concrete space, something that provides a hard surface area. Joe Moore suggested using a percentage to determine whether a concrete pad is feasible. Harold Woodruff replied that most units are going to end up with some type of outdoor space and agreed with the applicant in that some people may not want a front porch or patio. Commissioner Davis agreed and stated that she loves open space but Ivory will be providing so many amenities that it shouldn't matter. Terri Mills stated that the units are tight and she wouldn't be comfortable living in this type of environment. She added that she likes a lot of the elevations but part of the charm is the landscaping and that might be absent here. She concluded that people do like different things but her biggest concern remains fire safety and other related issues. Brent Fuller agreed with Commissioner Mills. Commissioner Davis questioned the price range for the various units in this subdivision. Chris explained that typically Ivory doesn't price things out until the development begins construction but estimated the townhomes will likely range from the \$170's-\$240's, the Park Side Homes from the \$220's-\$280's, and the single family homes will likely be \$280 and up.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Conder moved for approval subject to the development agreement proposed by the applicant with the following changes:

1. Changes one, two, and four recommended in the staff report.
2. Front patios shall be offered as an option.
3. Add the following sentence to item 10 under the Park Side Homes: "Should Ivory develop new plans or elevations they shall be submitted to the City Planning Division for review and approval."

Commissioner Davis seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous - Z-7-2008– Approved**

**Z-8-2008**

**West Valley City**

**5300 South 5600 West**

**M to R-1-7**

**15.9 acres**

West Valley City staff is requesting a zone change for 15.9 acres of a 16.4 acre parcel at approximately 5300 South 5600 West from M (manufacturing) to R-1-7 (residential, single family, minimum lot size 7,000 square feet). Surrounding zones include R-1-7 to the west and north, R-1-6 to the east in Salt Lake County, and C-2 to the south.

Surrounding land uses include single family homes or lots planned for single family homes to the north and west, single family homes to the east, and a convenience store and vacant land to the south. The subject property is designated as medium density residential, general commercial, or mixed use in the West Valley City General Plan. The southeast 0.5 acre portion of the property is developed as a Maverik convenience store; hence, this portion of the property was left out of the rezone application.

Up until 4 years ago, all of the property within the City that is east of the West Ridge Golf Course was zoned M. In 2004, the City changed the zoning on the City owned property to the southeast of the golf course from M to R-1-7. This land was then sold to Ivory Homes which Ivory then developed as the Westridge Estates Subdivision.

City Administration requested that City Planning staff submit a rezone request for the subject property. The concern from administration is that the property is next to Westridge Estates, one of the highest value subdivisions in the City, and any type of industrial use at this location would be inappropriate. In addition, big box retail that would be allowed in the M Zone would be difficult to accomplish from a site design perspective with all the single family homes surrounding the site. While single family homes at this location may not be the best use given the transit improvements planned along 5600 West and 5400 South, the R-1-7 Zone can act as a holding zone to prevent industrial use. Once the property owner is ready to develop the property as, for example, a mixed use development as recommended in the General Plan, a rezone application can be submitted. Even if the City did not rezone the property to R-1-7, the property owner would still need to rezone the property in order to development the property as mixed use because the M Zone does not allow any residential use.

**Staff Alternatives:**

- Approval, the rezone request will still allow medium residential use, which is one of the suggested uses in the General Plan, and will prevent industrial uses from being developed next to new single family homes.
- Continuance, for reasons determined at the public hearing.
- Denial, the M Zone should remain until the property owner is ready to develop.

**Applicant:**

West Valley City

**Discussion:** Harold Woodruff clarified that staff would like to continue the application indefinitely. Staff will work with the property owner to resolve any problems.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Fuller moved to continue the application indefinitely.

Commissioner Mills seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous - Z-8-2008– Approved**

**SUBDIVISION APPLICATIONS:**

**S-30-2008**

**201 Commerce Center Subdivision – No. 2**

**4350 West 2100 South**

**M Zone**

**3 Lots**

**78.7 Acres**

**BACKGROUND:**

Greg Haehl, representing the Argent Group, is requesting preliminary and final plat approval for the 2<sup>nd</sup> phase of the 201 Commerce Center Subdivision. The subject property is presently vacant and is located in the manufacturing zone.

**ISSUES:**

The proposed subdivision is being requested in order to divide the existing property into 3 more commercial lots. Although the subdivision comprises 3 lots, it will also contain 2 remainder parcels which will eventually be platted as additional lots are needed.

Access will be gained by the 2100 South frontage road and from Links Drive. The Planning Commission may remember that Links Drive was dedicated as part of the first plat as well as a portion in front of the Quartzdyne lot. The cross section to be used here as well as future rights-of-way will be 66 feet. A parkstrip and sidewalk will be located



on one side of the roadway which is standard in the manufacturing zone. It has yet to be determined which side of the right-of-way these improvements will be located.

Lots 201-203 will gain access via New Commerce Drive. Internal access will be accomplished by access easements. Although the subdivision plat will denote these easement locations, the developer will need to record documents that set forth the conditions upon which these easements will be used. New Commerce Drive will be a dedicated street and therefore maintained by the City. All internal access points will be managed by the Master Association.

Within the next week or so, staff will be scheduling the conditional use permit to be reviewed by the Planning Commission. At that time, staff and agency comments will be more thoroughly addressed as part of the that process. The subdivision plat will contain easements dedication of right-of-way and other information applicable to the division of property.

**STAFF ALTERNATIVES:**

1. Approve the 201 Commerce Center No. 2 Subdivision subject to a resolution of staff and agency comments.
2. Continue the application in order for the developer to address the Planning Commissions concerns.

**Applicant:**

Greg Haehl  
Argent Group

**Discussion:** Steve Lehman presented the application. The applicant had nothing further to add. Phil Conder stated that this application is good to have especially in reference to the new street dedication.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Mills moved for approval subject to the resolution of staff and agency comments.

Commissioner Conder seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous - S-30-2008– Approved**

**S-31-2008**  
**UTA-AGC Subdivision**  
**1070 West 2200 South**  
**BRP Zone**  
**2 Lots & Remainder Parcel**  
**6.6 Acres**

**BACKGROUND:**

Terry Wright, representing the property owner, is requesting preliminary and final plat approval for the UTA-AGC Subdivision. The subject property is located on the northeast corner of the City adjacent to 2100 South and the Jordan River.

**ISSUES:**

The UTA-AGC Subdivision is being requested in order to divide the existing property into 2 commercial building lots. A remainder parcel will also be created which is located along the north side of lot 1 and adjacent to 2100 South.

Both lots will gain access from 1070 West. This street, along with many roads in the Metro Business Park are private streets. During the evaluation of this application, the City Engineering Division recommended that portions of the existing curb along 1070 West be replaced. Although the right-of-way is private, storm drainage is impacted from these defective improvements. Although the majority of the curb is in good shape, there are two or three areas that will need to be addressed.

Sidewalk does not exist in this portion of the business park. However, with the future TRAX line, consideration for this type of improvement should be made. A TRAX stop near 2320 South is only a block away, and it is reasonable to assume that employees or visitors to this location would use light rail. Staff will explore this issue during the site plan review process.

As mentioned previously, an elongated parcel exists along the north boundary of the subdivision. At some point in the past, the remnant parcel was landscaped with sod and trees. However, during a recent site visit, staff noticed that the lawn has not been watered and is in need of some maintenance. Staff will recommend that the owner of parcel A be responsible for its maintenance.

The lot configurations have been designed to accommodate commercial development. The Associated General Contractor's of Utah will be constructing a building on lot 1. During prior meetings with the applicant, staff reviewed the conceptual site plan and believes that the lot will accommodate the building without any problems. Lot 2 however, will continue to be held by UTA. A fairly substantial portion of this lot will be impacted by the future TRAX line. Staff has provided an illustration of this line in relation to the subdivision plat. It does appear that sufficient area will exist on lot 2 from some type of development in the future.

A number of mature trees exist along the east property line. Staff will recommend that

the developer save as many of these trees as possible. Generally, a tree survey would be required. However, in this case, staff will request that the location of these trees be included within the landscaping plan which will be reviewed by staff at a later date.

**STAFF ALTERNATIVES:**

1. Approve the UTA-AGC Subdivision subject to a resolution of staff and agency comments.
2. Continue the application in order for the developer to address concerns raised by the Planning Commission.

**Applicant:**

Terry Wright  
3131 W. 2210 S.  
West Valley City, UT

**Discussion:** Steve Lehman presented the application. Terry Wright explained that the building proposed on this new lot will mostly be used as a training facility. He added that AGC is working with UTA to ensure this joint venture will be a success. Phil Conder stated that a lot of discussion has been centered around potentially incorporating a sidewalk in correspondence with the TRAX line to enhance the foot traffic in the area. Terry replied that several problems must be worked out regarding the sidewalks such as berming ordinances and other conflicting restrictions that must be resolved with the City. Commissioner Conder questioned whether the applicant is opposed to the sidewalk. Terry replied that it would be a good asset to the area but added that he can't speak for the metro business park. He stated that he doesn't anticipate this to be a major issue. UTA bought the property for the TRAX system and the remaining pieces are still being evaluated for their use. Mr. Wright explained that he can't speak for UTA on what a sidewalk will or won't do for them. Steve Lehman added that in the manufacturing or business park zones, sidewalks are located on one side. The City will evaluate where the sidewalk would work best at this location and follow up with the Planning Commission.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Fuller moved for approval subject to the resolution of staff and agency comments

Commissioner Davis seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Davis	Yes

Commissioner Fuller	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous - S-31-2008– Approved**

**CONDITIONAL USE APPLICATIONS:**

**C-24-2007 amended**

**Coventry III/Satterfield Helm Valley Fair LLC**

**3601 South Constitution Blvd. (2700 West)**

**Wall Signs for Ross**

**C-2 Zone**

Gary Hall with the Valley Fair Mall, owned by Coventry III/Satterfield Helm Valley Fair LLC, has requested a conditional use amendment to increase the size of wall signs proposed for Ross Dress for Less. Section 11-4-111 of the sign ordinance allows the Planning Commission to consider signs larger than those described in the ordinance. The Planning Commission used this provision to grant larger pole signs as part of the overall mall approval last year.

To address additional signs on other tenants, Mr. Hall is also requesting that the building height used to calculate allowable sign area be increased from 15' to 21'. Right now, the sign ordinance allows up to 15' in height to calculate the allowable sign area even if the building is taller than 15'. According to Mr. Hall, 21' height will be needed to accommodate the signage that Best Buy and Petco are proposing. The Petco and Best Buy buildings are approximately 24' to 26' in height.

There are several attachments included with this report. The following is a description of each attachment:

1. Letter from Gary Hall: This letter outlines reasons why the mall and Ross are requesting larger wall signs.
2. Proposed Ross elevations: These latest elevations are different from the original elevations shown for Ross as part of the overall conditional use permit in that the entrance has now been moved to the south corner and the mall entrance south of Ross has been moved to the west, which has reduced the length of the south elevation of Ross.
3. Partial site plan: This plan shows a close up of the mall site plan just around the Ross building.
4. Mall site plan: From this plan you can see how Ross fits in with the overall mall plan.
5. Original Ross elevation and site plan: This is the plan that was presented to the Planning Commission last year with the entrance in the center.
6. Photo of existing Ross building: This photo shows an example of an existing Ross building where the entrance is on the corner with signs built similar to those

- requested in this application.
7. Tables with sign calculations: Four different sign calculation scenarios are shown in this attachment.

### **Staff Alternatives**

1. Approval of the Ross signage as submitted. Allowable sign area for future mall signs for tenants utilizing 15,000 square feet or more shall be calculated using 21' as the height.
2. Approval of the Ross signage as submitted. Any other mall tenants desiring signs larger than the sign ordinance allows must submit a conditional use amendment.
3. Approval of the Ross signage with the following restrictions:
  - a. The area of the signs on the west and north sides shall meet the ordinance.
  - b. The area of the sign on the south side shall be limited to 270 square feet to match the west side.Any other mall tenants desiring signs larger than the sign ordinance allows must submit a conditional use amendment.
4. Continuance for reasons determined during the public hearing.
5. Denial, all wall signs shall meet the sign ordinance.

### **Applicant:**

Greg Helm  
3601 S. 2700 W.  
Suite G-128  
West Valley City, UT 84119

**Discussion:** Steve Pastorik presented the application. Harold Woodruff questioned whether the colors presented on the Ross sign are accurate. Steve replied yes. The applicant, Greg Helm, explained that he is not trying to cause any problems or pull any type of switch on the City or the Planning Commission. He explained that there was some miscommunication between City staff and his company and he thought that all the wall signs and their sizes had been approved. He explained that the design for Ross changed slightly so that access could be gained from inside the mall but this shift would cause difficulties to control inventory so this led to the entrance outside being moved to the corner. He explained that enlarging the sign will make the building feel more symmetrical and added that Ross will be using their standard sign size. Greg explained that bigger signs on bigger buildings creates a taller feel for the area and this is important to the Valley Fair Mall. He stated that using the 21' standard would take care of other buildings in the mall complex so that each building wouldn't have to

come back to the Planning Commission with changes to their signs. Harold Woodruff asked how many more there might be. Greg replied that there are probably around 5 that would need that height limit. He explained that with the way the market is now there aren't as many clients and his goal is try to keep them on site and treat them good. Brent asked if the signs will be backlit. Greg replied that it's not a requirement but his company pushes for that and so most of the signs will be. Mary Jane Davis stated that she doesn't have a problem with the Ross signage but isn't comfortable approving the 21' standard for all the other stores. She said that it feels somewhat premature to approve something the Planning Commission doesn't fully understand. Phil agreed and added that it all makes perfect sense but the Planning Commission hasn't been given the option to discuss what approving all the signage could mean. He suggested bringing it back as its own item separate from the Ross signage. Steve Pastorik suggested elevations for signage could be brought back in a study session. Chairman Woodruff agreed and added that if the Planning Commission had an issue, that particular sign would go to a public hearing. Commissioner Conder replied that all the rest of the signs could go through a public hearing as one item as well. Chairman Woodruff questioned whether leasing on the buildings is finalized enough. Greg replied that it might be reasonable but he would prefer the study session idea. Steve explained that in the original approval for the mall, the signs were included but the elevations were preliminary. Pole signs and monument signs were approved but wall signs would need to come back in and that is likely where the miscommunication occurred.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Fuller moved for approval of the Ross signage as submitted. If tenants with 15,000 square feet or more also desire larger signage, they must submit their sign plans to be reviewed by the Planning Commission in a study session. The Planning Commission will consider whether or not using 21' in height for the sign area calculation is appropriate.

Commissioner Conder seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous - C-24-2007- Approved**

### **C-35-2008**

**Transwestern and KOLL/PER LLC (Mark Bowers)**  
**2850 S. Redwood Road**  
**C-3 Zone (4.84 Acres)**

The applicant, Mark Bowers, is requesting a conditional use amendment for the uses in an existing business park. The zoning for this area is C-3, Transitional Commercial. The West Valley City General Plan anticipates General Commercial, Business, Office and Light Manufacturing uses for this area. The area to the south was just rezoned from A (Agricultural) to General Commercial (C-2) for a Psychiatric Hospital. The area to the north and east is zoned Manufacturing and there is C-2 across Redwood Road.

This facility was originally approved in 1984 (C-25-84) as an Office/Warehouse Park. In 2000 the owner came to the Planning Commission for an amendment to the conditional use to allow for more flexibility in the uses. At this time, the applicant submitted a list of prohibited uses that were then made part of the conditions of approval. (Please see the attached list.) Most of the uses are prohibited or conditional uses in the C-3 zone and this additional restriction has been confusing for the current owners and adds another step to business license review process. Therefore, Mr. Bowers, is requesting an amendment to the conditional use approval to remove the list of prohibited uses from this site.

The conditions of approval for this amendment also included limitations on how the different buildings were to be used. The west building would be used for retail, the south building for office/warehouse and the north building for light manufacturing. The applicant is requesting that this restriction be removed as well and that the entire site be approved for the following uses:

- Business record storage within an enclosed building
- Light manufacturing conducted within an enclosed building
- Office/warehouse – more than 50% interior storage

The applicant has indicated that outside storage will not be permitted on site. There was some discussion regarding auto related uses on site however the applicant did not have any specific plan for this use so staff recommends that if auto uses are proposed at this location that it be reviewed at a future Planning Commission hearing.

There are approximately 206 parking spaces on site (166 parking spaces on the perimeter of the site with an additional 40 spaces along the interior). The applicant has indicated that the front building (15,000 sqft ) will be primarily retail and the remaining 68,000 sqft would have a general mix of office, warehouse and industrial. Therefore with the shared parking calculations the required parking would be 207 spaces:

	Quantity	Required	Weekday		Weekend		Nighttime
Use	Sq ft	Parking	6AM-6PM	6PM-12AM	6AM-6PM	6PM-12AM	12AM-6AM
Office (1/250)	22666	91	91	9	9	5	5
Industrial (1/500)	22666	45	45	5	5	2	2
Warehouse (1/1000)	22666	23	23	2	2	1	1
Retail (1/250)	15000	60	48	54	60	42	3
Totals	82998	219	207	70	76	50	11

Attached is a description further detailing this request from the applicants attorney, Mr. Jed K. Burton.

**Staff Alternatives:**

**Approval**, subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. Remove the list of prohibited uses that were attached as a condition of approval on the amendment C-25-84.
2. Site approved for business record storage within an enclosed building, light manufacturing conducted within an enclosed building, and office/warehouse with more than 50% interior storage.
3. No outside storage on site.
4. Auto sales and service are prohibited at this time. If a future auto sales or service use is proposed it must be approved by the Planning Commission in a public hearing.
5. Tenant mix must meet the minimum required parking standards.
6. Subject to review upon valid complaint.

**Continuance**, to allow time for the applicant to submit a more detailed plan for the uses and parking for this center.

**Denial**, the applicant has not demonstrated why the use restrictions should be lifted and the list shall still apply to this development.

**Applicant:**

Jed Burton  
68 S. Main Street- 6<sup>th</sup> Floor  
SLC, UT 84101

**Applicant:**

Mark Bowers  
11778 S. Election Dr.- Suite 16  
Draper, UT

**Discussion:** Hannah Thiel presented this application. Phil Conder ensured that this application has nothing to do with deed restrictions, just a conditional use on the property. Hannah replied yes. Phil Conder questioned what would happen if there was a valid complaint against the property. Hannah replied that the conditional use can be revoked and it would go back to what it was originally. Jed Burton, an attorney representing the applicant, explained that the purpose of this application is to clean up restrictions that are confusing for potential tenants. He explained that these restrictions give an extra layer tenants have to go through to get a business license and the applicant would just like the property to be subject to the regular conditions of the 'C-3' zone. Jed stated that the applicant is one parking stall short but there is room on the site to add another. Terri Mills stated that a cat rescue was talked about in the study session and questioned whether this is an intended use. Jed replied that the cat rescue is not going to happen and is not something the owner wants in the future. Terri stated that there are ordinances that address animals on agricultural lots and questioned whether there is an ordinance for these types of facilities. Hannah replied that there isn't a specific ordinance but



density may be determined by building code. Jed explained that there are 3 different buildings that are subject to different restrictions and the applicant would like the market to determine the appropriate use of those buildings. The applicant, Mark Bowers, explained that he wants to be a good neighbor and will continue to take care of the property. He added that a lot of the discouraged uses on the list wouldn't allowed in this area and he wouldn't want most of them in this neighborhood anyway. Harold Woodruff commented that it was interesting there aren't any specific restrictions for animals in a 'C-3' zone.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Davis moved for approval subject to 6 staff conditions.

Commissioner Mills seconded the motion.

**Roll call vote:**

Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous - C-35-2008– Approved**

**PLANNING COMISSION BUSINESS**

Approval of minutes from July 9, 2008 (Regular Meeting) **Continued**  
Approval of minutes from July 16, 2008 (Study Session) **Continued**  
Approval of minutes from July 19, 2008 (Study Session) **Continued**  
Approval of minutes from July 23, 2008 (Regular Meeting) **Approved**  
Approval of minutes from August 6, 2008 (Study Session) **Approved**  
Approval of minutes from August 13, 2008 (Regular Meeting) **Continued**

There being no further business, the meeting adjourned at 5:33 p.m.

Respectfully submitted,

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Nichole Camac, Administrative Assistant